



May 7, 2004

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Subject: Appeal Brief for Patent Application
No. 09/025,896

I received a Form PTOL-462 "Notification of Non-Compliance with 37 CFR 1.192©, dated April 14, 2004, from the examiner, Charles Goodman, notifying me that the Appeal Brief I filed on August 20, 2003 for a cabbage cutter, Patent Application No. 09/025, 896, did not comply with all the requirements of 37 CFR 1.192© of MPEP 1206 and that I should file a complete new brief in compliance with 37 CFR 1.192© to avoid dismissal of the appeal.

Per instructions I am submitting herewith a complete new brief that includes all the required items.

I submitted the previous Appeal Brief, lacking some of the required items, after reading the section of MPEP 1206 under the heading Appeal Brief Content which states that an exception to the requirement that all the items specified in 37 CFR 1.192© be included in the brief is made if the application or reexamination proceeding is being prosecuted by the appellant pro se, there is no attorney or agent of record, and the brief was neither prepared nor signed by a registered attorney or agent. The section states that the brief of a pro se appellant which does not contain all the items, (1) to (9), specified in 37 CFR 1.192© will be accepted as long as it substantially complies with the requirements of items (1), (2), and (8). I assumed I was in this category.

I apologize for the misunderstanding. A complete new brief, including all the required items, is attached.

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BILLIE JEAN LONGSTRETH

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2 Incls

1. Appeal Brief (3 copies)
2. Drawing of claimed invention



05-10-04 EU558298167US AF 3724 +

PTO/SB/21 (12-97)
Approved for use through 9/30/00. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/025,896
	Filing Date	2/18/98
	First Named Inventor	Billie Longstreth
	Group Art Unit	3724
	Examiner Name	Charles Goodman
Total Number of Pages in This Submission	26	Express Mail # Attorney Docket Number EU558298167US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	BILLIE JEAN LONGSTRETH
Signature	<i>Billie Jean Longstreth</i>
Date	May 7, 2004

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 5/7/04	
Typed or printed name	Billie Jean Longstreth
Signature	<i>Billie Jean Longstreth</i>
Date	5/7/04

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